

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JENNIFER WOOTTEN,	)	Case No.: 10-CV-04946-LHK
	)	
Plaintiff,	)	ORDER GRANTING AS MODIFIED
v.	)	STIPULATION FOR EXTENSION OF
	)	TIME AS TO PRELIMINARY
BAC HOME LOANS SERVICING, LP,	)	INJUNCTION HEARING AND
	)	BRIEFING SCHEDULE
Defendant.	)	
<hr/>		(re: docket #11)

On November 10, 2010, the Court issued an Order denying *pro se* Plaintiff's motion for a temporary restraining order and setting a briefing schedule for a December 9, 2010 preliminary injunction hearing, with an opposition due November 30, 2010 and a reply due December 3, 2010. *See* Dkt. #8. Because counsel for Defendant had not appeared at that time, the Court ordered Plaintiff to serve a copy of the Court's November 10, 2010 Order on Defendant by November 18, 2010 in order for Defendant to have notice and an opportunity to be heard. Although it is not clear that Plaintiff served Defendant with a copy of the Court's November 10, 2010 Order, Defendant has now appeared, as on November 24, 2010, Defendant filed a motion to dismiss. *See* Dkt. #9.

On November 30, 2010, the parties filed a Joint Stipulation requesting that the Court extend the date for the preliminary injunction hearing to February 10, 2011, the same date of the hearing on Defendant's motion to dismiss. *See* Dkt. #11. The parties' Joint Stipulation represents that the extension of time will not prejudice either party.

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Accordingly, the Court GRANTS the parties' Joint Stipulation for a continuance of the preliminary injunction hearing from December 9, 2010 to February 10, 2011 at 1:30 p.m. The December 9, 2010 hearing is vacated.

The parties also request a February 1, 2011 deadline for Defendant's opposition to Plaintiff's motion for preliminary injunction, and a February 4, 2011 deadline for Plaintiff's reply. The Court, however, finds a more expedited briefing schedule appropriate. Thus, Defendant's opposition to the motion for preliminary injunction is due by Thursday, January 13, 2011. Plaintiff's reply is due by Thursday, January 20, 2011.

**IT IS SO ORDERED.**

Dated: December 1, 2010

  
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LUCY H. KOH  
United States District Judge